



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

ems

271 Cadman Plaza East

Brooklyn, New York 11201

April 5, 2011

Honorable John Gleeson
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Siddqui v. Holder et al. CV-11-0826 (Gleeson, J.)(Carter, M.J.)

Dear Judge Gleeson:

Defendants respectfully write to request that (1) their time to file a response to the Order to Show Cause dated February 28, 2011 be extended from April 18, 2011 until and including July 18, 2011; (2) Plaintiff's time to file a reply be extended from April 25, 2011 until and including July 25, 2011; and (3) oral argument be adjourned from May 2, 2011 at 10:30 a.m. to August 2, 3, 10 or 11, 2011 at any time between 10:30 a.m. and 3 p.m. Plaintiff has consented to this request.

Plaintiff commenced this action for an order directing United States Citizenship and Immigration Services ("USCIS") to adjudicate his application for permanent residence. USCIS is in the process of adjudicating the application. On March 25, 2011, USCIS sent to Plaintiff a Request for Evidence, which seeks (1) information concerning Plaintiff's admissibility; and (2) information concerning Plaintiff's medical condition, which Plaintiff must obtain from a civil surgeon authorized by USCIS to conduct medical examinations. In order to allow Plaintiff sufficient time to obtain and provide the requested information, USCIS has given Plaintiff until June 16, 2011 to respond to the Request for Evidence. The proposed adjourned date of Monday, July 18, 2011 for Defendants to file a response to the Order to Show Cause is thirty-two (32) days after the due date for Plaintiff to respond to the Request for Evidence (July 16, 2011 being a Saturday).

This request is the first request for any extension or adjournment of any kind by any party in this action.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

(electronically filed)

By: /s _____
ELLIOT M. SCHACHNER
Assistant U.S. Attorney
(718) 254-6053

cc (via ECF) :

Frenkel, Hershkowitz & Shafran
Attorneys for Plaintiff
16 East 34th Street, 16th Floor
New York, New York 10016
Attn: David Barnett, Esq.